

State Permit No.  
Federal Permit No. MA0003913  
Page 1 of 6

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53),

Acushnet Company, Rubber Division

is authorized to discharge from the facility located at

744 Belleville Avenue  
New Bedford, MA

to receiving waters named

Acushnet River

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on date of signature

This permit and the authorization to discharge expire at midnight, five years from the date of issuance.

This permit supersedes the permit issued on 6/19/75

This permit consists of 6 pages in Part I including effluent limitations, monitoring requirements, etc., and 19 pages in Part II including General Conditions and Definitions.

Signed this 20<sup>th</sup> day of November, 1986

David A. Fiene  
Director  
Water Management Division  
Environmental Protection Agency  
Region I  
Boston, MA

Thomas C. McWhorter  
Director, Division of Water  
Pollution Control  
Department of Environmental  
Quality Engineering  
Commonwealth of Massachusetts  
Boston, MA

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 001, non-contact cooling water, belt cooling waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Continuously	Daily Avg.
Chromium Total	-	0.3 mg/l	Quarterly	Composite
Chemical Oxygen Demand (COD)	Monitor		Monthly	Composite
Oil & Grease	3.3 lbs/day	9.3 lbs/day or 15 mg/l	Monthly	Grab
Total Suspended Solid (TSS)	9 lbs/day	18 lbs/day	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly, report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: point of discharge.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 002 and 003, storm runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Quarterly	Daily Avg.
Oil & Grease	10 mg/l	15 mg/l	Quarterly	Grab
*COD	Monitor		"	"

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored quarterly, report range of 4 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: points of discharge.

\*State Certification Requirement.

2. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) One hundred micrograms per liter (100 ug/l);
  - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).
- b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) Five hundred micrograms per liter (500 ug/l);
  - (2) One milligram per liter (1 mg/l) for antimony;
  - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).
- c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

C. MONITORING AND REPORTING

1. Reporting

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the completed reporting period. The first report is due on the 15th day of the month following the effective date of the permit.

Signed copies of these, and all other reports required herein, shall be submitted to the Director at the following address:

Permit Compliance Section  
Compliance Branch  
Water Management Division  
Environmental Protection Agency  
JFK Federal Building  
Boston, MA 02203

Duplicate signed copies of all monitoring reports shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Southeastern Regional Office  
Lakeville Hospital  
Lakeville, Massachusetts 02346

Signed copies of all other notifications and reports required by this permit shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Regulatory Branch  
1 Winter Street  
Boston, Massachusetts 02108

D. STATE PERMIT CONDITIONS

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency and the Division of Water Pollution Control under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Director of the Massachusetts Division of Water Pollution Control pursuant to M.G.L. Chap. 21, §43.

Each Agency shall have the independent right to enforce the terms and conditions of this Permit. Any modification, suspension or revocation of this Permit shall be effective only with respect to the Agency taking such action, and shall not affect the validity or status of this Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this Permit is declared, invalid, illegal or otherwise issued in violation of State law such permit shall remain in full force and effect under Federal law as an NPDES Permit issued by the U. S. Environmental Protection Agency. In the event this Permit is declared invalid; illegal or otherwise issued in violation of Federal law, this Permit shall remain in full force and effect under State law as a Permit issued by the Commonwealth of Massachusetts.

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53),

Acushnet Company, Rubber Division

is authorized to discharge from the facility located at

744 Belleville Avenue  
New Bedford, MA

to receiving waters named

Acushnet River

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on

This permit and the authorization to discharge expire at midnight, five years from the date of issuance.

This permit supersedes the permit issued on

This permit consists of 6 pages in Part I including effluent limitations, monitoring requirements, etc., and 19 pages in Part II including General Conditions and Definitions.

Signed this       day of

\_\_\_\_\_  
Director  
Water Management Division  
Environmental Protection Agency  
Region I  
Boston, MA

\_\_\_\_\_  
Director, Division of Water  
Pollution Control  
Department of Environmental  
Quality Engineering  
Commonwealth of Massachusetts  
Boston, MA

**DRAFT PERMIT FOR REVIEW**

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 001, non-contact cooling water, belt cooling waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Continuously	Daily Avg.
Chromium Total	-	0.3 mg/l	Quarterly	Composite
Chemical Oxygen Demand (COD)	Monitor		Monthly	Composite
Oil & Grease	3.3 lbs/day	9.3 lbs/day or 15 mg/l	Monthly	Grab
Total Suspended Solid (TSS)	9 lbs/day	18 lbs/day	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly, report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: point of discharge.

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 002 and 003, storm runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Quarterly	Daily Avg.
Oil & Grease		15 mg/l	Quarterly	Grab

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored quarterly, report range of 4 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: points of discharge.

2. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) One hundred micrograms per liter (100 ug/l);
  - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).
- b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) Five hundred micrograms per liter (500 ug/l);
  - (2) One milligram per liter (1 mg/l) for antimony;
  - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).
- c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

C. MONITORING AND REPORTING

1. Reporting

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the completed reporting period. The first report is due on the 15th day of the month following the effective date of the permit.

Signed copies of these, and all other reports required herein, shall be submitted to the Director at the following address:

Permit Compliance Section  
Compliance Branch  
Water Management Division  
Environmental Protection Agency  
JFK Federal Building  
Boston, MA 02203

Duplicate signed copies of all monitoring reports shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Southeastern Regional Office  
Lakeville Hospital  
Lakeville, Massachusetts 02346

Signed copies of all other notifications and reports required by this permit shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Regulatory Branch  
1 Winter Street  
Boston, Massachusetts 02108

D. STATE PERMIT CONDITIONS

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency and the Division of Water Pollution Control under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Director of the Massachusetts Division of Water Pollution Control pursuant to M.G.L. Chap. 21, §43.

Each Agency shall have the independent right to enforce the terms and conditions of this Permit. Any modification, suspension or revocation of this Permit shall be effective only with respect to the Agency taking such action, and shall not affect the validity or status of this Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this Permit is declared, invalid, illegal or otherwise issued in violation of State law such permit shall remain in full force and effect under Federal law as an NPDES Permit issued by the U. S. Environmental Protection Agency. In the event this Permit is declared invalid, illegal or otherwise issued in violation of Federal law, this Permit shall remain in full force and effect under State law as a Permit issued by the Commonwealth of Massachusetts.

Standard as required by Section 401 (d) of the CWA and 40 C.F.R. § 124.53 and 124.56.

The effluent monitoring requirements have been established to yield data representative of the discharge under authority of Section 308(a) of the CWA. The remaining conditions of the permit are based on the NPDES Regulations Part 122 through 125 and consist primarily of management requirements common to all permits.

## V. State Certification Requirements.

EPA may not issue a permit unless the State Water Pollution Control Agency with jurisdiction over the receiving waters certifies that the effluent limitations contained in the permit are stringent enough to assure that the discharge will not cause the receiving water to violate State Water Quality Standards. The staff of the *Massachusetts Division of Water Pollution Control* has reviewed the draft permit and advised EPA that the limitations are adequate to protect water quality. EPA has requested permit certification by the State and expects that the draft permit will be certified.

## VI. Comment Period, Hearing Requests, and Procedures for Final Decisions.

All persons, including applicants, who believe any condition of the draft permit is inappropriate must raise all issues and submit all available arguments and all supporting material for their arguments in full by the close of the public comment period, to the U.S. EPA, Compliance Branch, JFK Federal Building, Boston, Massachusetts 02203. Any person, prior to such date, may submit a request in writing for a public hearing to consider the draft permit to EPA and the State Agency. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty days public notice whenever the Regional Administrator finds that response to this notice indicates significant public interest. In reaching a final decision on the draft permit the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA's Boston office.

Following the close of the comment period, and after a public hearing, if such hearing is held, the Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision any interested person may submit a request for a formal hearing to reconsider or contest the final decision. Requests for formal hearings must satisfy the requirements of 40 C.F.R. §124.74, 48 Fed. Reg. 14279-14280 (April 1, 1983).

## VII. EPA Contact.

Additional information concerning the draft permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays from:

*Kenneth Chin*

John F. Kennedy Federal Building  
Boston, Massachusetts 02203  
Telephone: (617) ~~223-5061~~ *565-3504*

7-28-86  
Date

David A. Fierra, Director  
Water Management Division  
Environmental Protection Agency

Pollutants	Aug.	Chromium	< 0.25 mg/l	Oil & Grease	< 3.3 lbs / day	Total Suspended Solid	< 10 lbs / day
------------	------	----------	----------------	-----------------	--------------------	-----------------------------	-------------------

## PART I

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 002 and 003, storm runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Quarterly	Daily Avg.
Oil & Grease		15 mg/l	Quarterly	Grab

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored quarterly, report range of 4 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: points of discharge.

MAPO 3913

PART I

ATTACHMENT B 2

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 001, non-contact cooling water, belt cooling waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Continuously	Daily Avg.
Chromium Total	-	0.3 mg/l	Quarterly	Composite
Chemical Oxygen Demand (COD)	Monitor		Monthly	Composite
Oil & Grease	0.33lbs/day	.93 lbs/day	Monthly	Grab
Total Suspended Solid (TSS)	9 lbs/day	18 lbs/day	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly, report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: point of discharge.

PART II  
TABLE OF CONTENTS

GENERAL REQUIREMENTS

- (a) Duty to Comply
- (b) Duty to Reapply
- (c) Need to Halt or Reduce Not a Defense
- (d) Duty to Mitigate
- (e) Proper Operation and Maintenance
- (f) Permit Actions
- (g) Property Rights
- (h) Duty to Provide Information
- (i) Inspection and Entry
- (j) Monitoring and Records
- (k) Signatory Requirements
- (l) Reporting Requirements
- (m) Bypass
- (n) Upset
- (o) Change in Discharge
- (p) Removed Substances
- (q) Power Failure
- (r) Availability of Reports
- (s) Oil and Hazardous Substance Liability
- (t) State Laws
- (u) Other Laws
- (v) Severability
- (w) Reopener Clause
- (x) Confidentiality of Information
- (y) Right of Appeal

DEFINITIONS

Revised 12/27/84

## GENERAL REQUIREMENTS

(a) Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

- (1) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- (2) The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.

(b) Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The permittee shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director. (The Director shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)

(c) Need to Halt or Reduce Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(d) Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(e) Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when the the operation is necessary to achieve compliance with the conditions of the permit.

(f) Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause, including but not limited to: (1) Violation of any terms or conditions of this permit; (2) Obtaining this permit by misrepresentation or failure to disclose all relevant facts; or (3) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(g) Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

(h) Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

(i) Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- (1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

- (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

(j) Monitoring and Records

- (1) Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.
- (2) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.
- (3) Records of monitoring information shall include:
  - (i) The date, exact place, and time of sampling or measurements;
  - (ii) The individual(s) who performed the sampling or measurements;
  - (iii) The date(s) analyses were performed;
  - (iv) The individual(s) who performed the analyses;
  - (v) The analytical techniques or methods used; and
  - (vi) The results of such analyses.
- (4) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- (5) The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this

permit shall upon conviction, be punished by a fine of not more than \$10,000 per violation or by imprisonment for not more than 6 months per violation or by both.

- (6) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
- (7) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(k) Signatory Requirement

All applications, reports, or information submitted to the Director shall be signed and certified in accordance with 40 CFR §122.22. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(l) Reporting Requirements

- (1) Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
  - (i) the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b); or
  - (ii) the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR §122.42(a)(1).
- (2) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (3) Transfers. This permit is not transferable to any person except after written notice to the Director. The Director may require modification or revocation

and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the CWA.

- (4) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (5) Twenty-four hour reporting. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances or the next working day.

A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The following information must be reported within 24 hours (24-hour reporting) or the next working day:

- (i) Any unanticipated bypass which causes a violation of any effluent limitation in the permit; or
- (ii) Any upset which causes a violation of any effluent limitation in the permit; or
- (iii) Any violation of a maximum daily discharge limitation for any of the pollutants specifically listed by the Director in the permit.

The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours or the next working day.

- (6) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (1), (2), and (5), of this section, or not reported in a compliance schedule report in the permit conditions, at the time monitoring reports are submitted. The reports shall contain the information required in paragraph (1)(5) of this section.
- (7) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

(m) Bypass

(1) Definitions.

- (i) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- (ii) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(2) Prohibition of bypass.

- (i) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless all the following conditions occur:
  - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - (C) The permittee submitted notices as required under paragraph (m)(3) of this section.
- (ii) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (m)(2)(i) of this section.
- (iii) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraph (m)(3) of this section.

(3) Notice.

- (i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- (ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (1)(5) of this section (24-hour notice).

(n) Upset

- (1) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary non-compliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (2) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such such technology-based permit effluent limitations if the requirements of paragraph (n)(3) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- (3) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (i) An upset occurred and that the permittee can identify the cause(s) of the upset;
  - (ii) The permitted facility was at the time being properly operated;
  - (iii) The permittee submitted notice of the upset as required in paragraph (1)(5) of this section (24-hour notice); and
  - (iv) The permittee complied with any remedial measures required under (d) above.
- (4) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(o) Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application at least 180 days prior to commencement of such discharges, or if such changes will not violate the effluent limitations specified in this permit, by notice, in writing, to the Director of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by the permit constitutes a violation.

(p) Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner consistent with applicable Federal and State laws and regulations including, but not limited to the CWA and the Federal Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq., and regulations promulgated thereunder.

(q) Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence, and no date for its implementation appears in Part I,

Halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

(r) Availability of Reports

Except for data determined to be confidential under paragraph (x) below, all reports prepared in accordance with the terms of this permit shall be available for public inspection at

the offices of the State water pollution control agency and the Regional Administrator. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the CWA.

(s) Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA.

(t) State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the CWA.

(u) Other Laws

The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, nor does it relieve the permittee of its obligation to comply with any other applicable Federal, State, and local laws and regulations.

(v) Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

(w) Reopener Clause

The Regional Administrator reserves the right to make appropriate revisions to this permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the CWA in order to bring all discharges into compliance with the CWA.

(x) Confidentiality of Information

(1) In accordance with 40 CFR Part 2, any information submitted to EPA pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions

or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2 (Public Information).

(2) Claims of confidentiality for the following information will be denied:

- (i) The name and address of any permit applicant or permittee;
- (ii) Permit applications and permits; and
- (iii) NPDES effluent data.

(3) Information required by NPDES application forms provided by the Director under 40 CFR §122.21 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

(y) Right of Appeal

Within thirty (30) days of receipt of notice of a final permit decision, the permittee may submit a request to the Regional Administrator for an evidentiary hearing under Subpart E, or a formal hearing under Subpart F, of 40 CFR Part 124, to reconsider or contest that decision. The request for a hearing must conform to the requirements of 40 CFR §124.74.

## DEFINITIONS

1. For purposes of this permit, the following definitions shall apply.

Administrator means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

Applicable standards and limitations means all State, interstate, and Federal standards and limitations to which a "discharge" or a related activity is subject to, including water quality standards, standards of performance, toxic effluent standards or prohibitions, "best management practices," and pretreatment standards under sections 301, 302, 303, 304, 306, 307, 308, 403, and 405 of CWA.

Application means the EPA standard national forms for applying for a permit, including any additions, revisions or modifications to the forms; or forms approved by EPA for use in "approved States," including any approved modifications or revisions.

Average - The arithmetic mean of values taken at the frequency required for each parameter over the specified period. For total and/or fecal coliforms, the average shall be the geometric mean.

Average monthly discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average weekly discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Best Professional Judgement (BPJ) means a case-by-case determination of Best Practicable Treatment (BPT), Best Available Treatment (BAT) or other appropriate standard based on an evaluation of the available technology to achieve a particular pollutant reduction.

Composite Sample - A sample consisting of a minimum of eight grab samples collected at equal intervals during a 24-hour period (or lesser period as specified in the section on Monitoring and Reporting) and combined proportional to flow, or a sample continuously collected proportionally to flow over that same time period.

CWA means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended by Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117; 33 U.S.C. §§1251 et seq.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hours period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the daily discharge is calculated as the average measurement of the pollutant over the day.

Director means the person authorized to sign NPDES permits by EPA and/or the State.

Discharge Monitoring Report Form (DMR) means the EPA standard national form, including any subsequent additions, revisions, or modifications, for the reporting of self-monitoring results by permittees. DMRs must be used by "approved States" as well as by EPA. EPA will supply DMRs to any approved State upon request. The EPA national forms may be modified to substitute the State Agency name, address, logo, and other similar information, as appropriate, in place of EPA's.

Discharge of a pollutant means:

- (a) Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or
- (b) Any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.

This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channelled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances leading into privately owned treatment works.

This term does not include an addition of pollutants by any "indirect discharger."

Effluent limitation means any restriction imposed by the Director on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States," the waters of the "contiguous zone," or the ocean.

Effluent limitations guidelines means a regulation published by the Administrator under Section 304(b) of CWA to adopt or revise "effluent limitations."

EPA means the United States "Environmental Protection Agency."

Grab Sample - An individual sample collected in a period of less than 15 minutes.

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of CWA.

Indirect Discharger means a non-domestic discharger introducing pollutants to a publicly owned treatment works.

Industrial User means a non-domestic discharger introducing pollutants to a publicly owned treatment works.

Interference means an addition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal which is cause of or significantly contributes to either a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, and the Toxic Substance Control Act. An Industrial User significantly contributes to such a permit violation or prevention of sludge use or disposal in accordance with above-cited authorities whenever such User:

- (a) Discharges a daily pollutant loading in excess of that allowed by contract with the POTW or by Federal, State, or local law;
- (b) Discharges wastewater which substantially differs in nature or constituents from the User's average discharge; or
- (c) Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a POTW permit violation or prevent sewage sludge use or disposal in accordance with the above-cited authorities as they apply to the POTW's selected method of sludge management.

Maximum daily discharge limitation means the highest allowable "daily discharge."

Municipality means a city, town, borough, county, parish, district, association, or other public body created by or under State law and having jurisdiction over disposal or sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribe organization, or a designated and approved management agency under section 208 of CWA.

National Pollutant Discharge Elimination System means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. The term includes an "approved program."

New discharger means any building, structure, facility, or installation:

- (a) From which there is or may be a "discharge of pollutants";
- (b) That did not commence the "discharge of pollutants" at a particular "site" prior to August 13, 1979;
- (c) Which is not a "new source"; and
- (d) Which has never received a finally effective NPDES permit for discharges at that "site".

This definition includes an "indirect discharger" which commences discharging into "waters of the United States" after August 13, 1979. It also includes any existing mobile point source (other than an offshore or coastal oil and gas exploratory drilling rig or a coastal oil and gas developmental drilling rig) such as a seafood processing rig, seafood processing vessel, or aggregate plant, that begins discharging at a "site" for which it does not have a permit; and any offshore or coastal mobile oil and gas exploratory drilling rig or coastal mobile oil and gas developmental drilling rig that commences the discharge of pollutants after August 13, 1979, at a "site" under EPA's permitting jurisdiction for which it is not covered by an individual or general permit and which is located in an area determined by the Regional Administrator in the issuance of a final permit to be an area of biological concern. In determining whether an area is an area of biological concern, the Regional Administrator shall consider the factors specified in 40 CFR Sections 125.122.(a)(1) through (10).

An offshore or coastal mobile exploratory drilling rig or coastal mobile developmental drilling rig will be considered a "new discharger" only for the duration of its discharge in an area of biological concern.

New source means any building, structure, facility, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced:

- (a) After promulgation of standards of performance under Section 306 of CWA which are applicable to such
- (b) After proposal of standards of performance in accordance with Section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal.

NPDES means "National Pollutant Discharge Elimination System."

Owner or operator means the owner or operator of any "facility or activity" subject to regulation under the NPDES programs.

Pass through means the Discharge of pollutants through the POTW into navigable waters in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation). An industrial User significantly contributes to such permit violation where it:

- (a) Discharges a daily pollutant loading in excess of that allowed by contract with the POTW or by Federal, State, or local law;
- (b) Discharges wastewater which substantially differs in nature and constituents from the User's average discharge;
- (c) Knows or has reason to know that its Discharge alone or in conjunction with Discharges from other sources would result in a permit violation; or
- (d) Knows or has reason to know that the POTW is, for any reason, violating its final effluent limitations in its permit and that such Industrial User's Discharge either alone or in conjunction with Discharges from other sources, increases the magnitude or duration of the POTW's violations.

Permit means an authorization, license, or equivalent control document issued by EPA or an "approved State."

Person means an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof.

Point source means any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§2011 et seq.)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. It does not mean:

- (a) Sewage from vessels; or
- (b) Water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well used either to facilitate production or for disposal purposes is approved by authority of the State in which the well is located, and if the State determines that the injection or disposal will not result in the degradation of ground or surfact water resources.

Primary industry category means any industry category listed in the NRDC settlement agreement (Natural Resources Defense Council et al. v. Train, 8 E.R.C. 2120 (D.D.C. 1976), modified 12 E.R.C. 1833 (D.D.C. 1979)); also listed in Appendix A of 40 CFR Part 122.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Publicly Owned Treatment Works (POTW) means any facility or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a "State" or "municipality." This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

Regional Administrator means the Regional Administrator, EPA, Region I, Boston, Massachusetts.

State means any of the 50 States, the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands.

Secondary Industry Category means any industry category which is not a "primary industry category."

Sewage sludge means the solids, residues, and precipitate separated from or created in sewage by the unit processes of a "publicly owned treatment works." "Sewage" as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff, that are discharged to or otherwise enter a publicly owned treatment works.

Toxic pollutant means any pollutant listed as toxic in Appendix D of 40 CFR Part 122, under Section 307(a)(1) of CWA.

Waters of the United States means:

- (a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (b) All interstate waters, including interstate "wetlands."
- (c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (3) Which are used or could be used for industrial purposes by industries in interstate commerce;
- (d) All impoundments of waters otherwise defined as waters of the United States under this definition;
- (e) Tributaries of waters identified in paragraphs (a) - (d) of this definition;
- (f) The territorial sea; and
- (g) "Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) - (f) of this definition.

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

2. The following abbreviations, when used, are defined below.

cu. M/day or M <sup>3</sup> /day	cubic meters per day
mg/l	milligrams per liter
ug/l	micrograms per liter
lbs/day	pounds per day

kg/day	kilograms per day
Temp. °C	temperature in degrees Centigrade
Temp. °F	temperature in degrees Fahrenheit
Turb.	turbidity measured by the Nephelometric Method (NTU)
TNFR or TSS	total nonfilterable residue or total suspended solids
DO	dissolved oxygen
BOD	five-day biochemical oxygen demand unless otherwise specified
CBOD	carbonaceous BOD
TKN	total Kjeldahl nitrogen as nitrogen
Total N	total nitrogen
NH <sub>3</sub> -N	ammonia nitrogen as nitrogen
Total P	total phosphorus
COD	chemical oxygen demand
TOC	total organic carbon
Surfactant	surface-active agent
pH	a measure of the hydrogen ion concentration
PCB	polychlorinated biphenyl
CFS	cubic feet per second
MGD	million gallons per day
Oil & Grease	Freon extractable material
Total Coliform	total coliform bacteria
Fecal Coliform	total fecal coliform bacteria
ml/l	milliliter(s) per liter
NO <sub>3</sub> -N	nitrate nitrogen as nitrogen
NO <sub>2</sub> -N	nitrite nitrogen as nitrogen
NO <sub>3</sub> -NO <sub>2</sub>	combined nitrate and nitrite nitrogen as nitrogen
Cl <sub>2</sub>	total residual chlorine

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53),

Acushnet Company, Rubber Division

is authorized to discharge from the facility located at

744 Belleville Avenue  
New Bedford, MA

**DRAFT**

to receiving waters named

Acushnet River

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on

This permit and the authorization to discharge expire at midnight, five years from the date of issuance.

This permit supersedes the permit issued on

This permit consists of 6 pages in Part I including effluent limitations, monitoring requirements, etc., and 19 pages in Part II including General Conditions and Definitions.

Signed this       day of

---

Director  
Water Management Division  
Environmental Protection Agency  
Region I  
Boston, MA

---

Director, Division of Water  
Pollution Control  
Department of Environmental  
Quality Engineering  
Commonwealth of Massachusetts  
Boston, MA

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 001, non-contact cooling water, belt cooling waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Continuously	Daily Avg.
Chromium Total	-	0.3 mg/l	Quarterly	Composite
Chemical Oxygen Demand (COD)	Monitor		Monthly	Composite
Oil & Grease	0.33 lbs/day	.93 lbs/day	Monthly	Grab
Total Suspended Solid (TSS)	9 lbs/day	18 lbs/day	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly, report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: point of discharge.

DRAFT

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 002 and 003, storm runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Quarterly	Daily Avg.
Oil & Grease		15 mg/l	Quarterly	Grab

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored quarterly, report range of 4 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: points of discharge.

DRAFT

2. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"

- (1) One hundred micrograms per liter (100 ug/l);
- (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
- (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
- (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).

DRAFT

b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"

- (1) Five hundred micrograms per liter (500 ug/l);
- (2) One milligram per liter (1 mg/l) for antimony;
- (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
- (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).

c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

C. MONITORING AND REPORTING

1. Reporting

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the completed reporting period. The first report is due on the 15th day of the month following the effective date of the permit.

Signed copies of these, and all other reports required herein, shall be submitted to the Director at the following address:

Permit Compliance Section  
Compliance Branch  
Water Management Division  
Environmental Protection Agency  
JFK Federal Building  
Boston, MA 02203

Duplicate signed copies of all monitoring reports shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Southeastern Regional Office  
Lakeville Hospital  
Lakeville, Massachusetts 02346

Signed copies of all other notifications and reports required by this permit shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Regulatory Branch  
1 Winter Street  
Boston, Massachusetts 02108

DRAFT

D. STATE PERMIT CONDITIONS

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency and the Division of Water Pollution Control under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Director of the Massachusetts Division of Water Pollution Control pursuant to M.G.L. Chap. 21, §43.

Each Agency shall have the independent right to enforce the terms and conditions of this Permit. Any modification, suspension or revocation of this Permit shall be effective only with respect to the Agency taking such action, and shall not affect the validity or status of this Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this Permit is declared, invalid, illegal or otherwise issued in violation of State law such permit shall remain in full force and effect under Federal law as an NPDES Permit issued by the U. S. Environmental Protection Agency. In the event this Permit is declared invalid, illegal or otherwise issued in violation of Federal law, this Permit shall remain in full force and effect under State law as a Permit issued by the Commonwealth of Massachusetts.

DRAFT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
JOHN F. KENNEDY FEDERAL BUILDING  
BOSTON, MASSACHUSETTS 02203

FACT SHEET

DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

NPDES PERMIT NO.: *MA 0003913*

STATE PERMIT NO.:

NAME AND ADDRESS OF APPLICANT:

*Acushnet Company, Rubber Division  
744 Belleville Avenue  
New Bedford, Massachusetts*

NAME AND ADDRESS OF FACILITY WHERE DISCHARGE OCCURS:

*same as above*

RECEIVING WATER: *Acushnet River*

CLASSIFICATION: *B*

I. Proposed Action, Type of Facility, and Discharge Location.

The above named applicant has applied to the U.S. Environmental Protection Agency for *issuance of its*

NPDES permit to discharge into the designated receiving water.

The facility is engaged in *manufacturing of custom molded rubber parts*. The discharge ~~is from~~ consist of belt cooling water, non-contact cooling water & roof runoff.

II. Description of Discharge.

A quantitative description of the discharge in terms of significant effluent parameters based on *permit application & the monitoring report* is shown on Attachment *A*.

### III. Limitations and Conditions.

The effluent limitations of the draft permit, the monitoring requirements, and any implementation schedule (if required) may be found on the following attachments:

B

### IV. Permit Basis and Explanation of Effluent Limitation Derivation.

The Akushnet Company, Rubber Division located in New Bedford, Massachusetts is a manufacturer of custom molded rubber parts for automotive, aircraft, safety appliances, as well as well as for various industrial or consumer product industries. Discharge point #001 consists of belt cooling water, & non-contact cooling water. discharge point #002 & #003 consist of roof runoff & storm runoff.

The Clean Water Act, as amended (CWA), requires that discharges satisfy both minimum technology and water quality requirements. The minimum technology requirements are Best Practicable Control Technology Currently Available (BPT) (Section 301 (b) (1) A) of the Clean Water Act) which was required by July 1, 1977, and Best Available Technology Economically Achievable (BAT) for toxic and non-conventional pollutants and Best Conventional Pollutant Control Technology (BCT) for conventional pollutants (Section 301 (b) (2) (1) and (E)).

which was required by July 1, 1984. National  
Effluent Guidelines have not been promulgated  
for this type of discharge. Therefore,  
the proposed permit is based on  
Best Professional Judgment (BPJ),  
as provided in Section 402 (a) (1) of  
the Clean Water Act (CWA).

After reviewing the permit application,  
the monitoring data, the major pollutant  
in the discharge are solids and oil &  
grease. Chromium had also been detected  
at a low level. This appears to be  
the residual left from the chrome plating  
bath originally connected to the outfall  
prior to 1976 (Xi-in to town sewer). The proposed permit  
limits have been developed based on the  
expired permit, monitoring aspect of permit  
application.

In addition to meeting the technology  
standards permit limitation must also  
satisfy Section 301 (b) (1) C of the CWA  
which requires compliance with state  
water quality standards. The proposed  
limitation on pH & oil & grease are  
included as Minimum State Certification  
requirements needed to meet water quality

Standard as required by Section 401 (d)  
of the CWA and 40 C.F.R. § 124.53  
and 124.56.

The effluent monitoring requirements have  
been related to yield data  
representative of the discharge under  
authority of Section 308(a) of the CWA.

The remaining conditions of the permit  
are based on the NPDES regulations  
Part 122 through 125 and consist  
primarily of management requirements  
common to all permits.

## V. State Certification Requirements.

EPA may not issue a permit unless the State Water Pollution Control Agency with jurisdiction over the receiving waters certifies that the effluent limitations contained in the permit are stringent enough to assure that the discharge will not cause the receiving water to violate State Water Quality Standards. The staff of the *Massachusetts Division of Water Pollution Control* has reviewed the draft permit and advised EPA that the limitations are adequate to protect water quality. EPA has requested permit certification by the State and expects that the draft permit will be certified.

## VI. Comment Period, Hearing Requests, and Procedures for Final Decisions.

All persons, including applicants, who believe any condition of the draft permit is inappropriate must raise all issues and submit all available arguments and all supporting material for their arguments in full by the close of the public comment period, to the U.S. EPA, Compliance Branch, JFK Federal Building, Boston, Massachusetts 02203. Any person, prior to such date, may submit a request in writing for a public hearing to consider the draft permit to EPA and the State Agency. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty days public notice whenever the Regional Administrator finds that response to this notice indicates significant public interest. In reaching a final decision on the draft permit the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA's Boston office.

Following the close of the comment period, and after a public hearing, if such hearing is held, the Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision any interested person may submit a request for a formal hearing to reconsider or contest the final decision. Requests for formal hearings must satisfy the requirements of 40 C.F.R. §124.74, 48 Fed. Reg. 14279-14280 (April 1, 1983).

## VII. EPA Contact.

Additional information concerning the draft permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays from:

*Kenneth Chin*

John F. Kennedy Federal Building  
Boston, Massachusetts 02203  
Telephone: (617) 223-5061 *565-3504*

7-28-86  
Date

David A. Fierra, Director  
Water Management Division  
Environmental Protection Agency

## ATTACHMENT A

Pollutants	Avg.
Chromium	$< 0.25$ mg/L
oil & Grease	$< 3.3$ lbs. /day C
Total Suspended Solid	$< 10$ lbs. /day

## PART I

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 002 and 003, storm runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Quarterly	Daily Avg.
Oil & Grease		15 mg/l	Quarterly	Grab

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored quarterly, report range of 4 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: points of discharge.

## PART I

## ATTACHMENT B 2

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 001, non-contact cooling water, belt cooling waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Continuously	Daily Avg.
Chromium Total	-	0.3 mg/l	Quarterly	Composite
Chemical Oxygen Demand (COD)	Monitor		Monthly	Composite
Oil & Grease	0.33 lbs/day	.93 lbs/day	Monthly	Grab
Total Suspended Solid (TSS)	9 lbs/day	18 lbs/day	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly, report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: point of discharge.

State Permit No.  
Federal Permit No. MA0003913  
Page 1 of 6

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53),

Acushnet Company, Rubber Division

is authorized to discharge from the facility located at

744 Belleville Avenue  
New Bedford, MA

**DRAFT**

to receiving waters named

Acushnet River

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on

This permit and the authorization to discharge expire at midnight, five years from the date of issuance.

This permit supersedes the permit issued on

This permit consists of 6 pages in Part I including effluent limitations, monitoring requirements, etc., and 19 pages in Part II including General Conditions and Definitions.

Signed this       day of

\_\_\_\_\_  
Director  
Water Management Division  
Environmental Protection Agency  
Region I  
Boston, MA

\_\_\_\_\_  
Director, Division of Water  
Pollution Control  
Department of Environmental  
Quality Engineering  
Commonwealth of Massachusetts  
Boston, MA

## PART I

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 001, non-contact cooling water, belt cooling waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Continuously	Daily Avg.
Chromium Total	-	0.3 mg/l	Quarterly	Composite
Chemical Oxygen Demand (COD)	Monitor		Monthly	Composite
Oil & Grease	0.33 lbs/day	.93 lbs/day	Monthly	Grab
Total Suspended Solid (TSS)	9 lbs/day	18 lbs/day	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly, report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: point of discharge.

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 002 and 003, storm runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Avg. Monthly	Max. Daily	Measurement Frequency	Sample Type
Flow-m <sup>3</sup> /Day (MGD)	-	-	Quarterly	Daily Avg.
Oil & Grease		15 mg/l	Quarterly	Grab

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored quarterly, report range of 4 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: points of discharge.

DRAFT

2. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
- (1) One hundred micrograms per liter (100 ug/l);
  - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).
- b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
- (1) Five hundred micrograms per liter (500 ug/l);
  - (2) One milligram per liter (1 mg/l) for antimony;
  - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with 40 C.F.R. §122.44(f).
- c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

DRAFT

C. MONITORING AND REPORTING

1. Reporting

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the completed reporting period. The first report is due on the 15th day of the month following the effective date of the permit.

Signed copies of these, and all other reports required herein, shall be submitted to the Director at the following address:

Permit Compliance Section  
Compliance Branch  
Water Management Division  
Environmental Protection Agency  
JFK Federal Building  
Boston, MA 02203

Duplicate signed copies of all monitoring reports shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Southeastern Regional Office  
Lakeville Hospital  
Lakeville, Massachusetts 02346

Signed copies of all other notifications and reports required by this permit shall be submitted to the State at:

Massachusetts Department of Environmental Quality Engineering  
Massachusetts Division of Water Pollution Control  
Regulatory Branch  
1 Winter Street  
Boston, Massachusetts 02108

DRAFT

D. STATE PERMIT CONDITIONS

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency and the Division of Water Pollution Control under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Director of the Massachusetts Division of Water Pollution Control pursuant to M.G.L. Chap. 21, §43.

Each Agency shall have the independent right to enforce the terms and conditions of this Permit. Any modification, suspension or revocation of this Permit shall be effective only with respect to the Agency taking such action, and shall not affect the validity or status of this Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this Permit is declared, invalid, illegal or otherwise issued in violation of State law such permit shall remain in full force and effect under Federal law as an NPDES Permit issued by the U. S. Environmental Protection Agency. In the event this Permit is declared invalid, illegal or otherwise issued in violation of Federal law, this Permit shall remain in full force and effect under State law as a Permit issued by the Commonwealth of Massachusetts.

**DRAFT**

FINAL

Federal Permit No. MA0003913  
State Permit No. 497  
State Application No. 245

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"), and the Massachusetts Clean Waters Act, as amended, (M.G.L., C.21, §§26-53),

Acushnet Company  
Rubber Division

is authorized to discharge from a facility located at

744 Belleville Avenue  
New Bedford, MA 02745

to receiving waters named

Acushnet River

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

This permit shall become effective on 45 days from the date of signature.

This permit and the authorization to discharge shall expire at midnight, May 1, 1980.

Signed this 19<sup>th</sup> day of June 1975



*Jeffrey G. Miller*  
for Jeffrey G. Miller, Director  
Enforcement Division  
Environmental Protection Agency



*Thomas C. McMahon*  
Thomas C. McMahon, Director  
Division of Water Pollution Control  
Commonwealth of Massachusetts

# A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning effective date and lasting through July 1, 1976  
the permittee is authorized to discharge from outfall(s) serial number(s) 001

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		Other Units (Specify)		Measurement Frequency	Sample Type
	Daily Avg	Daily Max	Daily Avg	Daily Max		
Flow—m <sup>3</sup> /Day (MGD)	—	—	—	—	Monthly	Total daily flow
Oil & Grease	(10)	—	—	—	Monthly	Average of 8 grabs
TSS	—	—	—	—	Monthly	Composite
Cr Total	—	—	0.3 mg/l	—	Monthly	Composite
COD	—	—	—	—	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly;  
report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning July 2, 1976 and lasting through May 1, 1980 the permittee is authorized to discharge from outfall(s) serial number(s) 001

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
	kg/day (lbs/day)		Other Units (Specify)		Measurement Frequency	Sample Type
Flow—m <sup>3</sup> /Day (MGD)	—	—	—	—	Monthly	Total daily flow
Oil & Grease	(3.3)	(9.3)	—	—	Monthly	Average of 8 grabs
TSS	(9.0)	(18.0)	—	—	Monthly	Composite
Cr Total	—	—	0.3 mg/l	—	Monthly	Composite
COD	—	—	—	—	Monthly	Composite

The pH shall not be less than 6.5 standard units nor greater than 8.0 standard units and shall be monitored monthly; report range of 8 grabs.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

PART I

Page 4 of 10

Permit No. MA0003913

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:
  - a. Submit engineering report and preliminary plans by September 1, 1975, to the Regional Administrator for review and to the Director for approval.
  - b. Submit final plans by November 1, 1975, to the Regional Administrator for review and to the Director for approval.
  - c. Meet operational limits of the approved treatment system by July 1, 1976, and notify the Regional Administrator and the Director thereof.
  
2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

## C. MONITORING AND REPORTING

### 1. *Representative Sampling*

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

### 2. *Reporting*

Monitoring results obtained during the previous 6 months shall be summarized for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on May 28, 1976. Duplicate signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the State at the following addresses:

Environmental Protection Agency  
Region I  
Permits Branch  
P.O. Box 8127  
Boston, Massachusetts 02114

Massachusetts Water Resources Commission  
Division of Water Pollution Control  
Leverett Saltonstall Building  
100 Cambridge Street  
Boston, Massachusetts 02202

### 3. *Definitions*

- a. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- b. The "daily maximum" discharge means the total discharge by weight during any calendar day.

### 4. *Test Procedures*

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

### 5. *Recording of Results*

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;

PART I.

Page 6 of 10

Permit No. MA0003913

- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. *Additional Monitoring by Permittee*

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (EPA No. 3320-1). Such increased frequency shall also be indicated.

7. *Records Retention*

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the State water pollution control agency.

**A. MANAGEMENT REQUIREMENTS****1. *Change in Discharge***

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

**2. *Noncompliance Notification***

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Regional Administrator and the State with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

**3. *Facilities Operation***

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

**4. *Adverse Impact***

The permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

**5. *Bypassing***

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Regional Administrator and the State in writing of each such diversion or bypass.

PART II

Page 8 of 10  
Permit No. MA0003913

6. *Removed Substances*

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. *Power Failures*

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence, and no date for its implementation appears in Part I,

- b. Halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

B. RESPONSIBILITIES

1. *Right of Entry*

The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. *Transfer of Ownership or Control*

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator and the State water pollution control agency.

3. *Availability of Reports*

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public

PART II

Page 9 of 10

Permit No. MA0003913

inspection at the offices of the State water pollution control agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. *Permit Modification*

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. *Toxic Pollutants*

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. *Civil and Criminal Liability*

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. *Oil and Hazardous Substance Liability*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. *State Laws*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

PART II

Page 10 of 10

Permit No. MA0003913

9. *Property Rights*

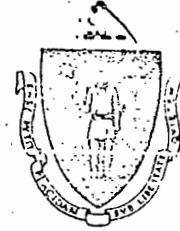
The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. *Severability*

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

OTHER REQUIREMENTS



U. S. Environmental Protection Agency

Region I

John F. Kennedy Federal Building  
Boston, Massachusetts 02203

The Commonwealth Of Massachusetts

Water Resources Commission

Division of Water Pollution Control

Leverett Saltonstall Building

Boston, Massachusetts 02202

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

JUN 19 1975

ACUSHNET CO - RUBBER DIVISION  
ATTN: T. C. WEAVER  
744 BELLEVILLE AVE  
NEW BEDFORD MA 02745

RE: Application No.

Federal M40003913

State 497

Gentlemen:

Enclosed is your final National Pollution Discharge Elimination System Permit for the above referenced application, issued pursuant to Section 402 of the Federal Water Pollution Control Act, as amended, (the "Federal Act"), and Sections 43 - 45 of the Massachusetts Clean Waters Act, as amended, (the "State Act"). Also enclosed is a copy of guidelines specifying test methods published pursuant to Section 304(g) of the Federal Act. As noted in the permit, the permittee is required to utilize these test methods in monitoring its effluent.

The Regional Administrator of the Environmental Protection Agency and the Director of the Division of Water Pollution Control have determined that the permit as issued is substantially unchanged from the tentative determinations and draft permit prepared pursuant to federal and state laws and regulations. Within ten (10) days of the date of receipt of this determination you, or any interested parties, may request an adjudicatory hearing of the Regional Administrator in accordance with the provisions of 40 C.F.R. §125.36(b) and (c). A similar request should also be filed with the Director within thirty (30) days of the date of receipt of this determination in accordance with the provisions of the Massachusetts Administrative Procedure Act and the Division's Rules for the Conduct of Adjudicatory Proceedings.

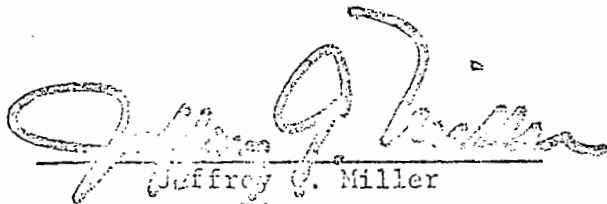
Finally, please note that this permit does not relieve the permittee from the responsibility of compliance with Section 311 of the Federal Act and Section 27(14) of the State Act. These sections prohibit the discharge of harmful quantities of oil into the waters of the United States and require the person in charge of a facility from which an oil spill into such waters emanates to

to notify immediately the appropriate federal and state agency. For oil spills into coastal waters, the appropriate federal agency is the nearest Coast Guard station. For oil spills into inland waters, the Environmental Protection Agency (617-223-7265) is the appropriate federal agency. In the event of oil spills into either inland or coastal waters the Division of Water Pollution Control (617-727-3855) should be notified. Oil spills are punishable under the various provisions of both the Federal Act and the State Act, and include both civil and criminal penalties.

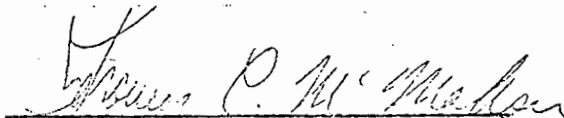
The final format of the self-monitoring report, EPA Form 3320-1 (10-72), required by the NPDES permit has not been received by the Regional Administrator. Upon receipt of this form, you will be automatically placed on distribution.

Until the standard reporting form is available, the Regional Administrator and the Director will accept a letter report containing the information required by the NPDES permit. It would be most helpful if the data were presented in a tabular form showing both the permit criteria and the reported values for direct comparison by our staffs.

If you have any questions about the procedures described above, please contact Mr. Han Bonne of the Division at telephone number (617) 727-3855 or Mr. John Lynch of EPA at (617) 223 5061.



Jeffrey C. Miller  
Director  
Enforcement Division  
Environmental Protection Agency



Thomas C. McMahon  
Director  
Massachusetts Division of  
Water Pollution Control